



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,621	09/30/2003	Manoj Modi	111855.00004	7934
26707 7590 08/27/2007 QUARLES & BRADY LLP RENAISSANCE ONE TWO NORTH CENTRAL AVENUE PHOENIX, AZ 85004-2391			EXAMINER CHEN, TE Y	
			ART UNIT 2161	PAPER NUMBER
			MAIL DATE 08/27/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/676,621

Applicant(s)

MODI, MANOJ

Examiner

Susan Y. Chen

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,7-12,16 and 18-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-12,16 and 18-29 is/are rejected.
- 7) ☒ Claim(s) 1,2,7 and 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Response to Amendment

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 02, 2007 has been entered.

This office action is in response to the amendment filed on July 02, 2007. Claims 1-2, 7-12, 16, 18-29 are pending for examination, claims 1, 9, 16, 19 and 25, have been amended; and claims 3-6, 13-15 and 17 have been canceled.

Interview

A telephone interview has been held between the examiner and applicant's attorney (Mr. Robert D. Atkins) on July 16, 2007, during the interview applicant's representative indicated that he will amended the claims to resolve the issues raised under 35 U.S. C. 112 second paragraph for instant amendment, however, since the amendment is not filed timely, hence, the following rejections are maintained.

Claim Objections

Claim 18, is objected to because of the following informalities:

As to claim 18, this claim depends on a canceled claim 17, it should be changed to depend on a proper claim. For the purpose of expedite the reexamination, the examiner assumes this claim is depending on claim 9.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 2, 7-12, 16 and 18-29, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claim I, the use of the phrase "is sufficient" of a total value for the loan package is indefinite, because the sufficient criteria varies from person to person, system to system and application to application.

As to claims 9, 19 and 25, it is unclear how the claimed "total valuation" of real properties was formed, because there is no combination mechanism or step was used to form a "total valuation" of real properties in these claims. Furthermore, as recited in

Art Unit: 2161

the previous office action it is not understood what dose "substantially similar types" in claim 9 referred to, does it meant to be "the same types" or not?

As to claim 2, 7-8, 10-12, 16, 18, 20-24, and 26-29, these claims have the same defects as their base claims, hence are rejected for the same reason.

Because the ambiguous nature of instant invention, the following art rejection is to the best of the examiner assortment.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-12, 16 and 18-29, are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,327,574 issued to Kramer et al. (hereinafter referred as Kramer) and in view of U.S. Patent No. 4,722,055 issued to Roberts and in further view of U.S. Publication 2004/0133493 issued to Ford et al. (hereinafter referred as Ford).

As to claims 9, 19, 21 and 25-29, Kramer discloses a computer system for managing real property which has means and methods as claimed by applicant, comprising:

providing a website [e.g., the third party servers 602, Fig. 6 and associated texts];
storing real property information from a portfolio of real properties on a central database [e.g., the Generic TIC databases at col. 10, lines 25-45, col. 12, lines 15 – col. 13, line 53], the real property information being organized in to a plurality of records, including a general purpose record [e.g., the metadata at col. 12, lines 34-43], infrastructure record [e.g., the model(s) data at col. 12, lines 27-33], business record [e.g., the record of facts databases at col. 12, lines 17-26], accounting record [e.g., the records of statistic, accounting database, col. 13, lines 50], and maintenance record [e.g., the record of Calendar at col. 12, lines 45-53], to add in retrieval of the real property information based on specific requests therefor [e.g., col. 5, lines 62 – col. 6, line 7];

providing a set of real properties from the portfolio of real properties to be offered as collateral in a loan package, each real property within the set containing similar types of real property information [e.g., the use of browsing technique to view the personal finance software, loan applications, etc. collected by TIC database and customized into profiles to a lender's computer at col. 5, lines 28 – 61; Fig. 3A-B, the profiling technique at col. 10, lines 25-45];

providing access to the real property information related to the set of real properties to a consumer-specific application through the website, wherein the

Art Unit: 2161

consumer-specific application makes selection to view the real property information which is retrieved from the central database [e.g., the use of Web browsing URL in the Illumination and Interpretation section starting at col. 5 at seq.; col. 16, lines 24-58] ; and displaying the real property information as selected by the lender on the website [e.g., the use of a browser to display the customized World Wide Web pages as selected by the lender on the website via URL technique at col. 8, lines 15 – 40; the Illuminations server at col. 18, lines 38 – 42];

determining a valuation of each of the portfolio of real properties [e.g., the TIC interpretation model processing, col. 5, lines 30- col. 6, line 7; Fig. 7 and associated texts];

retrieving the real property information from multiple information categories on the central database [e.g., Fig. 6 and associated texts].

Kramer did not specifically disclose the selecting of at least one from the portfolio of real properties to form the set of real properties such that a total valuation of the set of real properties is at least to a predetermined threshold.

However, Roberts discloses a system has methods to select at least one from the portfolios of real properties to form the set of real properties such that a total valuation of the set of real properties is at least to a predetermined threshold [e.g., col. 7, lines 6-22; Fig.(s) 1-3 and associated texts].

Kramer and Roberts are both in the same field of endeavor to compile real property information via dynamic managed a loan portfolio, hence, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify

Art Unit: 2161

Kramer's method with the teachings disclosed by Roberts for the purpose to select at least one from the portfolios of real properties to form the set of real properties such that the combined method would facilitate a total valuation of the set of real properties that is to a predetermined threshold of the loan package managed by a program manager (or a lender), because by doing so, the combined methods would have been a prima facie obvious in view of Roberts as discussed above.

Kramer and Roberts did not specifically disclose the method for providing a log-in code to the lender, wherein the log-in code limits the lender to view the real property information related to the set of real properties.

However, Ford discloses a method to provide a log-in code to the lender, wherein the log-in code limits the lender to view the real property information related to the set of real properties [e.g., page 4, section 0034].

Kramer, Roberts and Ford are both in the same field of endeavor to compile real property information via dynamic managed a loan portfolio, hence, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify Kramer's method with the teachings disclosed by Ford for provide a log-in code to the lender, such that the log-in code would limit the lender to view the authenticated real property information related to the set of real properties, because by doing so, the combined methods would have been a prima facie obvious in view of Ford as discussed above.

As to claims 10-12, 20 and 26, the combined methods of Kramer, Robert and Ford further discloses the following:

providing access to a second set of real properties from the portfolio of real properties, wherein the second user makes selections through website to view the real property information which is retrieved from the control database [e.g., Kramer: the use of special tags to locate the second set of real properties via website annotation using the URL technique at col. 8, lines 24-40];

accessing the real property information included in the second set from the central database through a communication network [e.g., Kramer: the use of browser to access the set of Customized WWW pages over Internet, Fig. 6 and associated texts];
and

displaying the real property information for a user operating a computer system remote from the central database [e.g., Kramer: col. 15, lines 63 – col. 16, lines 22; Fig. 6 and associated texts].

As to claim 22, the combined methods of Kramer, Robert and Ford further discloses the following:

providing search selections for the lender to search based on attributes of the set of real properties [e.g., Kramer: col. 15, lines 22-62].

As to claims 16 and 23, the combined methods of Kramer, Robert and Ford further discloses the following:

providing a summary of search results for a plurality of real properties when search selections match more than one real property [e.g., Kramer: col. 19, lines 52-57].

As to claim 24, the combined methods of Kramer, Robert and Ford further discloses the following:

displaying only a first portion of the real property information related to the set of real properties which is approved for lender viewing [e.g., Ford: page 4, section 0034].

As to claim 18, the combined methods of Kramer, Robert and Ford further discloses the following:

adding a second portion of real property information to that approved for lender viewing upon receiving a request from the lender for the second portion of real property information [e.g., Ford: page 4, section 0034].

Allowable Subject Matter

Claims 1-2 and 7-8 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Response to Arguments

Applicant's arguments with respect to claims 1-2, 7-12, 16 and 18-29, have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

To expedite the process of re-examination, the examiner requests that all future correspondences in regard to overcoming prior art rejections or other issues (e.g. 35 U.S.C. 112) set forth by the Examiner prior to the office action, that applicant should provide and link to the most specific page and line numbers of the disclosure where best support is found (see 35 U.S.C. 132).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Y. Chen whose telephone number is 571-272-4016. The examiner can normally be reached on Monday - Friday from 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mofiz Apu can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/676,621
Art Unit: 2161

Page 11

August 17, 2007

Susan Y Chen
Examiner
Art Unit 2161

A handwritten signature in cursive script that reads "Susan Chen". The signature is written in black ink and is positioned to the right of the printed name and title.